

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

CRIMINAL APPEAL BRIEFING SCHEDULE

Appeal No. 23-2396 United States v. Marcus Millsap

Date: June 08, 2023

Briefing in criminal appeals is governed by [Eighth Circuit's Plan to Expedite Criminal Appeals](#). Counsel should also review the provisions of [Eighth Circuit Rule 27B](#).

APPEAL REQUIREMENTS

1. On January 1, 2013, the court eliminated the clerk's record as the form for the record on appeal in criminal cases. Instead, the court will review the electronic version of the pleadings and orders maintained by the district court on its official docket. The remainder of the record materials required for appellate review of the case - transcripts, exhibits, Statements of Reasons, Presentence Investigation Reports and any other items not accessible from the electronic docket - will still be forwarded in paper format for the court's use. Dates are established for transmittal of these paper documents. Directions for citation to the district court electronic docket and other documents are provided in the docketing letter sent with this schedule. Failure to follow these citation directions may result in the rejection of your brief. Questions should be addressed to the circuit court clerk's office.
2. Please promptly order any transcripts. If the appeal is proceeding in forma pauperis, requests for and payments of transcripts shall be processed through the district court's eVoucher system.
3. If you were retained for the district court proceedings and the defendant is unable to bear the cost of the appeal, a motion for leave to proceed in forma pauperis should be filed with the district court. Counsel cannot be appointed and a transcript cannot be provided at government expense unless the defendant obtains IFP status.
4. As this case was tried in four days or more, the court reporter shall file the transcript within 40 days of filing the notice of appeal.
5. Review "Briefing Checklist" and "Pointers on Preparing Briefs" at: www.ca8.uscourts.gov/appeal-preparation-information . Please note appellant's brief must include a copy of the Judgment and Commitment Order in the Addendum.
6. The government must file a single brief in multiple-defendant appeals.

GENERAL INFORMATION

The following filing dates are established for the appeals. Dates are only extended upon the filing of a timely motion establishing good cause. An order extending the time for filing a brief also extends the filing date for the responding or replying party's brief. Filing dates can also be accelerated if a party files its brief before the due date. Please refer to FRAP 25, FRAP 26 and FRAP 31 for provisions governing filing and service. You may find the Federal and Eighth Circuit rules, as well as practice aids, at: www.ca8.uscourts.gov/rules-procedures

FILING DATES:

Transcript **07/17/2023**
(**Judith A. Ammons, Suzy Flippen, Suzanne McKennon**)

PSI Report **07/17/2023**

Appellant's Brief (with addendum). **07/31/2023**
(**Marcus O. Millsap**)

Appellee's Brief. **21 days from the date the court issues the**
Notice of Docket Activity filing the brief.

Appellant's Reply Brief **7 days from the date the court issues the**
Notice of Docket Activity filing the brief.

**ALL BRIEFS AND APPENDICES SHOULD BE
FILED WITH THE ST. LOUIS OFFICE**